

Remarks

This is in response to the Official Action of October 10, 2007 in which the Examiner rejected claims 1-19 of the application under 35 U.S.C. 103 (a) as being unpatentable by Scott (U.S. 6,522,642) in view of Lam . The rejection is traverse as following.

We respectfully request withdrawal of these rejections as rejection fails to establish a *prima facie* case of obviousness. First, we dispute that these 2 references can be combined to form the basis of an obviousness rejection, and in any event, we submit that the rejection fails to establish a sufficient motivation for a person skilled in the art to combine these references.

Scott is directed to antenna diversity techniques for wireless communication systems. Lam is directed to delivering multiband broadcast services in WDM passive optical networks. Scott and Lam are not in analogous arts, and a person skilled in the art to which the invention pertains would not be motivated to combine the teachings of Scott with the optical system taught by Lam. We note that Lam specifically teaches the use of **optical** circulators in the cited passages (and throughout). Accordingly, a person looking at Scott's wireless antenna diversity system, would have no reason to think of utilizing Lam's **optical** circulators.

Furthermore, the sole basis for combining these references is the allegation that a person skilled in the art would be motivated to add the circulators taught by Lam to the system of Scott in order to avoid delay and building up dispersion in the signal pulses. The only support for this allegation is the passage in Lam at col 11, lines 25-37. However, this allegation is simply false. While Lam does indeed discuss the need to avoid dispersion, this problem is directed to dispersion that results from the optical signal propagating through an optical fiber and is NOT a problem relevant to Scott's wireless diversity antenna scheme. Accordingly this does not and can not provide a motivation for a person skilled in the art to combine these references, and we deny there is any such motivation.

Accordingly the rejections under Scott and Lam are deficient and should be withdrawn.

In addition, the Examiner also rejected claims 1-19 of the application under 35 U.S.C. 103 (a) as being unpatentable by Scott (U.S. 6,522,642) in view of Weber. The rejection is traversed as follows.

Once again the rejection is deficient for failing to establish a *prima facie* case of obviousness. Once again, we submit that person skilled in the art would not be motivated to combine the references in order to achieve the claimed invention as alleged.

The examiner alleges that a person skilled in the art would combine the teachings of Scott with the circulators of the Weber. However, we submit this motivation is lacking, and in fact a person skilled in the art would not be so motivated, and in any event, even if the references can be combined this does not lead inevitably to the claimed invention.

Without limiting the generality of the foregoing, even if the references can be combined, they simply fail to teach the following highlighted portions of claim 1.

1. An apparatus for processing **N number of input signals having a common frequency**, said apparatus comprising:

at least $N-1$ number of modulators for modulating $N-1$ of said N number of input signals into $N-1$ number of modulated signals;

a combiner for combining said modulated signals along with one non-modulated signal into an aggregate signal;

at least $N-1$ number of circulators for receiving at least part of said aggregate signal;

$N-1$ number of demodulators for demodulating said aggregate signal, each said demodulator corresponding to one of said modulators; and

N number of duplexer filters each corresponding to one of said N number of input signals;

wherein said circulators, said demodulators, and said duplexer filters, are arranged so as to pass N number of demodulated portions of said aggregate signal to a corresponding output and **each of said demodulated portions being substantially identical to one of said N number of input signals.** (emphasis added)

We describe a system in which multiple input signals at the same common frequency are modulated and split and sent to multiple different outputs (at the same common frequency). Weber teaches a system which multiple signals at different channels are transmitted from the same antenna. This is completely different than what is claimed, and furthermore, there is no basis for combining this completely different system with the teachings of Scott to achieve the claimed invention. Furthermore, even if the references can be combined (which is denied), the combination fails to establish the claimed invention, as at least the highlighted sections are not taught by the combination of the references, for the reasons given.

Accordingly the rejections under Scott and Weber are deficient and should be withdrawn.

Accordingly we respectfully submit that all of the claims are patentable over the cited art and all of the rejections should therefore be withdrawn. Accordingly a Notice of Allowance is hereby requested.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

DEANE, Peter et al.

By: /Jeffrey M. Measures/
Jeffrey M. Measures
Reg. No. 40,272
Borden Ladner Gervais LLP
World Exchange Plaza
100 Queen Street, Suite 1100
Ottawa, ON K1P 1J9
CANADA
Tel: (613) 237-5160
Fax: (613) 787-3558
E-mail: ipinfo@blgcanada.com

JMM/dbm